



VOLUME 17 ISSUE 2

KCJIS NEWS

AUGUST 2015

INSIDE THIS ISSUE

RANSOMWARE THREAT	1
2015 KCJIS LEGISLATION	2
RETURNING A FIREARM	3-4
KBI DNA DATABANK	4
KBI HELPDESK NEWS	5-6
OFFICERS ELECTION	6
2015 KCJIS CONFERENCE	6
CONTACT INFORMATION	7

RANSOMWARE CONTINUES TO BE A THREAT DON CATHEY, KHP KCJIS INFORMATION SECURITY OFFICER

This is a reprint of a Security Alert Received June 23, 2015.
View this article online to use the highlighted links.

IC3 Issues Alert on CryptoWall Ransomware

Original release date: June 23, 2015

The Internet Crime Complaint Center (IC3) has issued an alert warning that U.S. individuals and businesses are still at risk of CryptoWall ransomware fraud. Scam operators use ransomware, a type of malicious software, to infect a device and restrict access until a ransom fee is paid. Individuals and organizations are discouraged from paying the ransom as this does not guarantee that the files will be released.

US-CERT encourages users and administrators to review the [IC3 Alert](#) for details and refer to the US-CERT Alert [TA-295A](#) for information on crypto ransomware.

This product is provided subject to this [Notification](#) and this [Privacy & Use](#) policy.

As the link to US-CERT Alert TA-295A above states, this is now a known threat (CryptoLocker, an earlier variant of ransomware, was reported to KCJIS via a broadcast message in November, 2013). Yet people and organizations continue to fall prey to it with resulting loss of important information. The alert lists the basic preventative measures that *everyone should already* be taking on *any* device with access to the internet or email- particularly if it contains sensitive data or can access your criminal justice network and systems that are important to you or your agency.

Agencies should review the following policy areas in all three parts of the KCJIS Policy and Procedures manual when developing data protection and recovery plans that include off-site storage:

- 5.1.1.5 Private Contractor User Agreements and CJIS Security Addendum
- 5.3 Incident Response
- 5.8 Media Protection
- 5.10.1.2 Encryption
- 5.10.1.5 Cloud Computing

Review policy area 5.2 for Security Awareness.

If you have questions or concerns, contact your Technical Security Auditor. Their contact information can be found on the KHP CJIS Launch Pad:

https://cjisaudit.khp.ks.gov/launchpad/cjisdocs/files/map_and_all_auditor_contact_info_april_2015.pdf



2015 KCJIS RELATED LEGISLATION ED KLUMPP, CHAIR KCJIS COMMITTEE

The 2015 session finally ended with a few things of interest to KCJIS becoming law.

KCJIS Lines-The KCJIS data lines going to each county are paid for by funds from district court traffic fines. The percentage of those fines designated for the KCJIS lines was not adequate to pay the current line costs. SB14 was passed which increased the line funds to an adequate amount. The Kansas Bureau of Investigation is the custodian of these funds, and will pay the shortfall in the FY2015 budget year with other funds.

Criminal History Record Information, Jail Inmate Information-The wording used in a bill two years ago became problematic, and SB13 was passed this year to fix it. The new language makes it clear that the information regarding the release, assignment to work release, or any other change in custody status of a person confined by the Department of Corrections or a jail is not criminal history record information and may be released. The primary focus of this clarification was to make it clear that releasing this information through victim notification systems is not a violation, but applies to any release of information.

Open Records and Open Meetings Enforcement-HB2256 changes enforcement options for open records and open meetings violations. The attorney general or district attorney is allowed to enter into agreements (consent decrees) for corrective actions that can include training and civil penalties.

Public Records of Certain Public Officials- Municipal judges, special assistant US attorneys, special assistant attorney general, special assistant district attorney, city attorney, and assistant city attorney were added to the list of public officials who have records of a public agency listed on a public website. These are searchable by a keyword search and identify the home address or home ownership blocked from public access on such public websites. See HB2256 amending KSA 45-221 §(a)(52).

The State Office of Information Technology Services now has a separate budget in the state general fund. While this will not directly affect local agencies, it is believed that this will help establish better state budgeting for technology projects and may indirectly help with systems connected to KCJIS.

Traffic Issues-our KCJIS users working with traffic related matters will see several new changes in DMV query responses. (1) A receipt for vehicle registration renewals completed by internet or mail serve as proof of renewal and the lack of the decal during the first ten days after the expiration date will not result in conviction. In essence, this works the same way as "no driver license on person" cases. If a citation is issued during the ten day period, the receipt can be shown to the court and the charge will be dismissed. (2) A new specialty tag for Omega Psi Phi Fraternity was approved. (2) There were seven new Commercial Driver's License Codes added in order to meet new federal guidelines for CDL codes. The entire list of codes follows with the last 7 (starting with number 8) being new: (1) "H"-authorizes the driver to drive a vehicle transporting hazardous materials; (2) "L"-restricts the driver to vehicles not equipped with airbrakes; (3) "T"-authorizes driving double and triple trailers; (4) "P"-authorizes driving vehicles carrying passengers; (5) "N"-authorizes driving tank vehicles; (6) "X"-represents a combination of hazardous materials and tank vehicle endorsements; (7) "S"-authorizes driving school buses; (8) "E"-no manual transmission in CMV; (9) "O"-no tractor-trailer; (10) "M"-no class A passenger vehicle; (11) "N"-no class A or B passenger vehicle; (12) "Z"-no full air brake in CMV; (13) "K"-for intrastate only; (14) "V"-for medical variance.

More information on these changes and other law enforcement related legislative action can be found at:

www.KsLawEnforcementInfo.com/2015-session.html

RETURNING/RELEASING A FIREARM TO ITS OWNER III OR QND OR QNP?!?!?!?!?

CARLA J. BOESKER, KHP CJIS UNIT PROGRAM CONSULTANT II

III Utilizing Purpose Code F:

Originally the only option one could choose when you released or returned a firearm to its owner, to ensure they were authorized to have a firearm in their possession, was by utilizing III with PUR/F. Purpose Code F is used by criminal justice agencies for the purposes of:

- (1) Returning firearms to their lawful owners
- (2) Enforcing federal and state laws prohibiting certain persons with criminal records from possessing firearms in circumstances in which firearms have been pawned.

As with all III inquiries, this file is subject to audits by the Kansas Highway Patrol CJIS staff and the FBI CJIS Unit.

QND (Query NICS Denied) Message Key:

In 2013, the Advisory Policy Board created the National Instant Criminal Background Check System (NICS) Denied Transaction File. This file contains records on individuals who have been determined to be prohibited persons per the Brady Act and, thus, denied a firearms purchase as a result of a NICS background check. These records are available in NCIC for 180 days from the date of the NICS Denial.

The file may be queried upon via a QND message key transaction. However, these records will not be provided in response to any other inquiry, meaning, you would need to utilize the QND message key specifically to receive a response. The QND message key is located in the Gun File portion of Open Fox.

QNP (Query ALL NICS) Message Key:

The QNP message key will be made available before the end of year 2015. The information maintained in the NICS Index is not available through a traditional NCIC/III check. An inquiry through this message key will search ALL of the following data bases:

- National Crime Information Center (NCIC)
- Interstate Identification Index (III)
- NICS Index
- Immigration & Customs Enforcement (IAQ), *when non-U.S. citizenship information is provided*

The NICS Index maintains well over 12.5 million records provided by local, state, tribal, and federal agencies identifying persons prohibited from receiving/possessing firearms pursuant to federal and/or state law, to include:

- felony or misdemeanor prohibitions
- fugitives from justice
- mental health adjudications or commitments
- an illegal/unlawful aliens
- controlled substance abusers
- dishonorable discharge prohibitions
- those who have renounced U.S. citizenship
- protection order prohibitions
- indictment/information prohibitions

The FBI legal staff provided the following to clarify that a QNP query may be performed roadside by a law enforcement officer:

"28 C.F.R. Section 25.9(j)(3) allows "[a]ccess to the NICS Index for purposes unrelated to NICS background checks pursuant to 18 U.S.C. 922(t) [the Brady Act]" for the purpose of "[d]isposing of firearms in the possession of a law enforcement or criminal justice agency." No definitions of the terms "disposing" (or "disposition") or "possession" are given in the regulation, see 28 C.F.R. Section 25.2. The plain language of 25.9(j)(3) supports that any time a firearm is properly in the possession of a law enforcement or criminal justice agency, a NICS

RETURNING/RELEASING A FIREARM TO ITS OWNER III OR QND OR QNP?!?!?!?-CONTINUED**CARLA J. BOESKER, KHP CJIS UNIT PROGRAM CONSULTANT II**

check may be conducted prior to the return or other transfer of that firearm to the individual with apparent ownership interest therein. This is all that is needed to make a determination of applicability. However, there is additional support in the Notice of Proposed Rulemaking which was published in the Federal Register, wherein the Attorney General explained one of the purposes of 25.9(j)(3) is to allow "agencies. . .to conduct [NICS] background checks on individuals to whom they intend to transfer firearms in the agency's possession that have been recovered, confiscated, or seized." Nothing in the balance of the Attorney General's published justification for 25.9(j)(3) detracts from the usability of the NICS Index by police officers who LAWFULLY have seized weapons under any circumstances. Therefore, if an officer employed by a law enforcement or criminal justice agency has properly, under the law of the controlling jurisdiction, seized a firearm during (for example) a routine traffic stop, he/she would be able to initiate a NICS background check before returning the firearms to the subject. (For whatever it's worth, it is well imagined that prior to 25.9(j)(3), he/she would've run an NCIC/III check on the individual, and likely would not have returned the firearm if the person were found to be a convicted felon, the subject of a warrant, etc.)"

This file is subject to an FBI Audit by the NICS division.

The Kansas Highway Patrol CJIS Unit is providing training on the proper use of the QNP message key.

Under no circumstances is the NICS Section approving or disapproving the seizure of a firearm; again, *whether* or not this is proper is a matter of the law of the controlling jurisdiction.

KBI DATABANK**JOHN GAUNTT, KBI BIOLOGY SECTION**

We are winding down on the eighth year of using the Bode oral sample DNA collection kit. When your current supplies of DNA Databank kits run low, we will switch your agency to the new kit made by General Electric (GE). We believe that the transition to the GE kit will be an easy one. We have produced a training hand-out for the new collection kit that can be electronically sent to your agency. It will also be posted on the KCJIS webportal in the near future.

If you have any questions, please email or call any of our staff:

John Gauntt
Marilyn Timberlake
Jessica Watts

785-296-8329
785-296-5461
785-296-5083

John.Gauntt@kbi.state.ks.us
Marilyn.Timberlake@kbi.state.ks.us
Jessica.Watts@kbi.state.ks.us

We thank you for your agency's continued dedication to the DNA Databank to help solve crime.



NEWS FROM THE KBI HELP DESK

JAVIER BARAJAS, KBI NETWORK CONTROL TECHNICIAN III

New License Tag Types

Potawatomie and Iowa Tribe License tag types are now available for registration searches via the KCJIS Central Message Switch (CMS), and KCJIS Web Portal. To query the new tag types, submit the code IT for Iowa Tribe or PT for Potawatomie Tribe license tags. Remember that when you query via the CMS and you are using the KCS form, the SIT field is used in place of the LIT. If you are using the KVQ or KLQ message keys, then the LIT field is used.

Both tag types are also available via the KCJIS Web Portal. Remember to select the Vehicle Registration menu item when searching for vehicle registration on the Web Portal.

The image shows two screenshots from the KCJIS Web Portal. The left screenshot displays the 'Applications' sidebar with 'Vehicle Registration' highlighted. The right screenshot shows the 'KDOR - Query Kansas Vehicle and Driver Information' form, which includes fields for License Plate #, VIN #, Vehicle Status, Title Number, Registration Year, Registration Number, Decal Number, License Type (LIT), and County (COU). Below this is the 'KCS - Kansas Car Stop Screen' form, which includes fields for Agency/Case Data, Originating Agency Code (ORI), License Plate Data, License # (LIC), License State (LIS), License Year (LIY), License Type (LIT), Personalized Flag (PPF), County (COU), and Special Issue (SIT).

KCJIS User Group Update

The KCJIS User Group did not meet this quarter due to a scheduling conflict. The KCJIS Conference was held in Topeka, KS on June 7 –9. Monitor the KCJIS Web Portal calendar for the times and dates of future meetings.

Medical Certification Document

Kansas Department of Revenue provided the KBI Help Desk with a brief document to help with questions surrounding the Medical Certification information that is returned on the ZQ inquiries on Commercial Licenses. The 'CDL Medical Card Data on ZQ Screens' document now lives on the [KCJIS Web Portal](#) – Information tab – KS State Systems section. We hope you find this information helpful! If you have any questions, feel free to contact the KBI Help Desk at 785-296-8245 or helpdesk@kbi.state.ks.us

Registered Offender Information via KCS

The KBI Help Desk has received multiple questions on why the NCIC Offender Registration file is not returning from a KCS inquiry. In all of the reported instances, the Name field was omitted. The QW is spawned from the KCS form, and, as a result of the QW functionality, the NCIC Offender Registration file is queried. However, because the QW message key requires the Name field in order to query the Offender Registration file, the QW will not submit the query to the Offender Registration file if the Name field is omitted. The same

NEWS FROM THE KBI HELP DESK-CONTINUED**JAVIER BARAJAS, KBI NETWORK CONTROL TECHNICIAN III**

is true when a KCS is submitted without the Name field. The KCS spawns a QW which will not submit the request to the NCIC Offender Registration file if the Name field is omitted. A proper QW request via KCS form shall include the Name field plus one of the following: DOB, FBI, MNU, SOC, or OLN.

ELECTION OF KCJIS COMMITTEE OFFICERS**ED KLUMPP, CHAIR KCJIS COMMITTEE PROGRAM CONSULTANT**

The Kansas Criminal Justice Information Services Committee met at their regularly scheduled monthly meeting on July 13, 2015. Under the new governance rules, the annual election of officers was held. Ed Klumpp, representing the Kansas Association of Chiefs of Police, was elected chair. Lance Royer, representing the Kansas Sheriffs Association, was elected Treasurer. Their terms run until the July 2016 meeting.

Secretary Jim Clark was noticeably absent from this meeting after resigning his position as Secretary of Administration. His replacement has not yet been named. By statute, the Secretary of Administration is the co-chair of the KCJIS Committee. Clark accepted those duties as important to the State of Kansas, and brought a new dimension to the Committee with his strong interest, involvement, and support. He guided us through the new governance changes, and was a voice with the Legislature and with the Administration on KCJIS issues. We are a better organization due to his contributions to KCJIS. We should all be thankful for his interest and guidance. We wish him well as he returns to his life of golf, family, and retirement.

2015 KCJIS TRAINING CONFERENCE SUCCESS**ED KLUMPP, CHAIR KCJIS COMMITTEE PROGRAM CONSULTANT**

The 2015 KCJIS Training Conference was held on June 7-9, 2015 at the Ramada Inn in Topeka. We had great attendees, excellent speakers, and fantastic support from vendors.

With 140 people registered, attendance was up ten percent from last year. The conference had an excellent training agenda, and reviews were very positive. The training conference's number one objective was to provide better education for KCJIS users, TACS, and LASO's on KCJIS topics. The reviews submitted by attendees indicated that this objective was met. Those comments provided excellent ideas for next year.

The supporting vendors included: Computer Projects of Illinois (CPI), Analyst International, Justice Systems, Inc. (JSI), Oracle, Huber and Associates, Safran MorphoTrack, and Voice Products.

Planning will start soon for the 2016 Training Conference. It will be held in the Wichita/Hutchinson area at a location to be determined, and dates will be finalized soon. We will try to set our conferences for the first Monday and Tuesday of June subject to hotel availability.

See you next June.





KANSAS BUREAU OF INVESTIGATION

Alicia Madison
Newsletter Editor
1620 SW Tyler
Topeka, KS 66612
785-296-3302
Alicia.Madison@kbi.state.ks.us

The KCJIS Newsletter is published by the
Kansas Criminal Justice Coordinating Council

Derek Schmidt
Chairman
Attorney General

Sam Brownback
Vice Chair
Governor

Council Members

Kirk Thompson
Director
Kansas Bureau of Investigation

JUSTICE CALEB STEGALL
Chief Justice Designee

Ray Roberts
Secretary
Kansas Department of Corrections

Mark Bruce
Superintendent
Kansas Highway Patrol

Brant Laue
Governor Designee

Lee Davidson
Attorney
General Designee